

Policy

It is the policy of Spring Grove Hospital Center to promptly report of abuse or neglect of a child or vulnerable adult. All reports shall be made in a manner consistent with the provisions of this policy and procedure, and with the laws and regulations of the State of Maryland. The report for child abuse and neglect is required even though the alleged victim may presently be an adult. (The fact that the victim is now an adult should be made part of the report.) The report is required even if the alleged abuser is now deceased.

Purpose

To set forth the reporting requirements and procedure for reporting suspected abuse and/or neglect of a child or vulnerable adult.

Scope

This policy is binding upon all employees of Spring Grove Hospital Center.

Definitions

For the purpose of this policy, the following words have the definitions indicated:

Abuse: The sustaining of any physical or mental injury by a vulnerable adult as a result of cruel or inhumane treatment or as a result of a malicious act by any person.

Child: An individual who is under the age of 18 when the alleged abuse or neglect occurred.

Child Abuse: The physical or mental injury of a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed.

Department of Social Services (DSS): The Office where:

1. The allegedly abused or neglected child lives, or;
2. Where the abuse or neglect is alleged to have occurred.

Law Enforcement Agency: The State Police or the Baltimore County Police.

Local State's Attorney: The State's Attorney for the county where:

1. The allegedly abused or neglected child lives, or;

2. Where the abuse or neglect is alleged to have taken place.

Exploitation: Any action which involves the misuse of a vulnerable adult's funds, property, or person.

Neglect: The willful deprivation of adequate food, clothing, medical treatment, or habilitative therapy, shelter, or supervision from a child or vulnerable adult.

Self Neglect: The inability of a vulnerable adult to provide for his/her physical or mental health and well-being.

Sexual Abuse: Any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member. Includes incest, rape, sodomy, unnatural or perverted sexual practices or sexual offenses in any degree.

Vulnerable Adult: Any person 18 years of age or over who lacks the physical or mental capacity to provide for their daily needs, who are unable to protect their own interests and are at risk of immediate harm to their own person or others.

Procedure

Any Spring Grove Hospital Center employee who as a result of contact with a patient has been told or observed that the patient was subjected to abuse and/or neglect as a child, is required by law to report this information to the proper authorities. In addition, an employee who as a result of contact with a patient has been told or observed that a child or vulnerable adult has been or is presently being abused or neglected is required by law to report this information to the proper authorities. All reports shall be made in a manner consistent with the provisions of this policy and procedure, and with the laws and regulations of the State of Maryland. The report for child abuse and neglect is required even though the alleged victim may presently be an adult or if the abuser is deceased. (This should be made part of the report).

- A. The Department of Social Work shall prepare and distribute a set of guidelines to be used by all employees to identify possible cases of abuse and/or neglect. These guidelines shall be approved by the Clinical Director and shall be periodically reviewed and updated as required.
- B. Any Spring Grove Hospital Center employee who has received information that an adult

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- B. Any Spring Grove Hospital Center employee who has received information that an adult patient may have been a victim of child abuse or neglect shall immediately notify the Department of Social Services where the alleged incident occurred.
- C. Any Spring Grove Hospital Center employee, who has received information that a child may be the victim of abuse or neglect, shall immediately notify the legal Department of Social Services where the alleged incident occurred.
- D. Any Spring Grove Hospital Center employee who has received information that a vulnerable adult may be the victim of abuse or neglect shall immediately notify the Department of Social Services.
- E. If it is determined that the patient has been or is a victim of abuse, the team could decide, depending upon the patient's condition and needs, whether the issue shall be reflected on the Individual Treatment Plan as an integral part of the patient's treatment.

Reporting of Abuse or Neglect

The employee who received/observed the information of alleged incidents shall:

- A. Give an oral report by telephone to the local Department of Social Services,
- B. Give a written report (DHR/SSA 180) to the local Department of Social Services within forty eight (48) hours after receiving information leading one to believe there was child abuse or neglect, with a copy to the State's Attorney's Office,
- C. Encourage the patient to be part of the reporting process and part of the treatment process as it relates to the issues.
- D. The immediate oral and prompt written report shall contain the following information:
 - 1. Name, age and address of the alleged victim,
 - 2. Name and address of the parent or other person who is/was responsible for the care of the alleged victim,
 - 3. The current location of the alleged victim,
 - 4. The name and ages of other children in the home.

- 5. The nature of the suspected abuse or neglect, including any evidence available,
- 6. Any other information which would help determine:
 - a. Cause of suspected abuse or neglect,
 - b. Identity of the individual responsible for the alleged abuse or neglect,
 - c. Information as to whether the alleged abuser is deceased or disabled,
 - d. If the victim is now an adult, whether an investigation would be therapeutically contraindicated.

Any report made pursuant to this policy is confidential.

Liability

Section 14-309 of the Family Law Article, Annotated Code of Maryland, states, "any person who in good faith makes or participates in making a report under this subtitle or participates in an investigation or a judicial proceeding resulting from a report under this subtitle is immune from any civil liability that would otherwise result." In addition the names of persons who make reports are required by law to be kept confidential (Section 14-308).

References

- 1. Family Law - Child Abuse and Neglect - Reporting Obligation When Victim of Child Abuse or Neglect is Now an Adult or Alleged Abuser is Dead - Confidentiality of Reports, Opinion of the Attorney General, December 3, 1993
- 2. Changes in Required Reporting of Child Abuse and Neglect, Office of the Attorney General, Department of Health and Mental Hygiene, June 15, 1988
- 3. Family Law Article 5-706 Section: Out-of-Home Maltreatment

Subject: Group Homes

Approved by 
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 8/5/16 Date

EDH/js

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